



3711  
ATTORNEY DOCKET NO. D5381-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Michael Marcase

Serial No. 09/439,807

Group Art Unit: 3711

Filed: 11/12/1999

Examiner: Duong, Thanh P.

For: GOLF CLUB AND CLUB HEAD

3/14  
Request Abandon  
Withdraw  
S. Zimmerman

I CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST  
CLASS MAIL UNDER 37 CFR 1.8 IN AN ENVELOPE  
ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O.  
BOX 1450, ALEXANDRIA, VA 22313-1450 ON THE DATE  
INDICATED BELOW.

March 14, 2007

ON

Elizabeth Orleman

Elizabeth Orleman

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESUBMISSION OF REQUEST FOR  
RECONSIDERATION OF HOLDING OF ABANDONMENT MPEP § 711.03**

Applicant submitted a Request for Reconsideration of Holding of Abandonment M.P.E.P. § 711.03 on February 14, 2003, in response to a Notice of Abandonment dated January 29, 2003, and received a postcard stamped by the U.S. Patent and Trademark Office confirming receipt of same.

This Request for Reconsideration of Holding of Abandonment was filed because the Notice of Abandonment indicated that the reason for abandonment was failure to timely file a proper reply to the Office Action mailed on April 24, 2002. However, the response to the Office Action was timely filed and copies of the documents evidencing same were enclosed with the Request for Reconsideration of Holding Abandonment.

The last entry in the transaction history for this application in PAIR is "Mail Abandonment for Failure to Respond to Office Action" dated January 29, 2003.

Applicant left phonemail messages with U.S. Patent and Trademark Office customer service and the Technology Center regarding the status of the Request for Reconsideration, but did not receive a response. Applicant also filed a Request for Status on October 19, 2005, but did not receive a response from the U.S. Patent and Trademark Office. After additional telephone calls to the U.S. Patent and Trademark Office for status, Applicant was told to resubmit the documents to the Technology Center.

Applicant hereby resubmits copies of the following documents:

- 1) Request for Status dated October 19, 2005;
- 2) Request for Reconsideration of Holding of Abandonment M.P.E.P § 711.03
- 3) acknowledgment post card, stamped by OIPE with the date FEB 14 2003;
- 4) an amendment responsive to the April 24, 2002 Office Action;
- 5) Acknowledgment post card, stamped by OIPE with the date JUL 23 2002.

In view of the above remarks and the enclosed documents, Applicant respectfully requests that the Holding of Abandonment in this application should be withdrawn. Applicants submit that this application is now in condition for issue as a patent.

Dated: 3/14/07

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Respectfully submitted,

  
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Joseph A. Powers  
Registration No. 47,006

Attorney for Applicant(s)

UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NO: D5381-00001  
APPLICANT: Michael Marcase  
SERIAL NO: 09/439,807  
FILED: November 12, 1999  
TITLE: GOLF CLUB AND GOLF HEAD

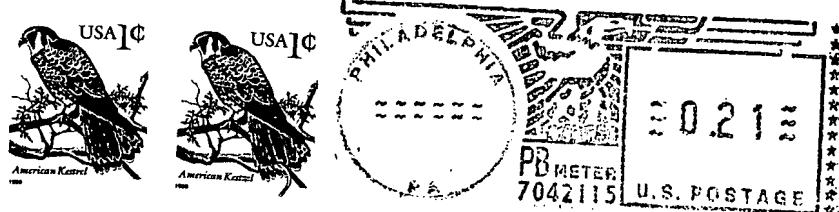


*The Patent Office acknowledges and has stamped hereon the date of receipt of the following items:*

Request for Reconsideration of Holding of Abandonment M.P.E.P § 7111.03; and Return Postcard

MSG/wls  
PHI\1063295.1

Date: February 13, 2003



Attn: Melanie S. Goddard

**DUANE MORRIS LLP**

One Liberty Place, 42nd Floor

Philadelphia, PA 19103-7396





Attorney Docket: D5381-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Marcase

Serial No.: 09/439,807

Examiner: Thanh P. Duong

Filed: 11/12/1999

Group Art Unit: 3711

For: GOLF CLUB AND GOLF HEAD

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**REQUEST FOR RECONSIDERATION OF HOLDING OF  
ABANDONMENT M.P.E.P § 711.03**

Responsive to the Notice of Abandonment dated January 29, 2003, applicant respectfully requests withdrawal of the holding of abandonment, in view of the following facts and evidence.

On July 18, 2002, Applicant's attorney deposited the following papers with the U.S. postal service with sufficient postage as first class mail for filing in the U.S. Patent and Trademark Office (PTO) under 37 C.F.R. § 1.8:

a transmittal letter; and

an amendment responsive to the April 24, 2002 Office Action; and  
a self-addressed postcard listing the aforementioned items.

On Feb. 3, 2003, Applicant's attorney received a Notice of Abandonment dated January 29, 2003, from the PTO. The Notice of Abandonment indicated that the reason for abandonment was failure to timely file a proper reply to the Office letter mailed on April 24, 2002.

The amendment was timely filed. Copies of the following documents which were deposited for filing on July 18, 2002, are enclosed:

- 1) a transmittal letter; and
- 2) an amendment responsive to the April 24, 2002 Office Action; and
- 3) Acknowledgment post card, stamped by OIPE with the date JUL 23 2002.

In view of the above remarks and the enclosed documents, Applicant respectfully requests that the Holding of Abandonment in this application should be withdrawn. Applicants submit that this application is now in condition for issue as a patent.

Respectfully submitted,

Dated: 2/13/03

  
\_\_\_\_\_  
Melanie S. Goddard, Reg. No:46,732  
Attorney For Applicants

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